

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ROY BELL,

Plaintiff(s),

vs.

STATE OF NEVADA, et al.,

Defendant(s).

Case No. 2:14-cv-00476-RFB-NJK

ORDER

(Docket No. 65)

Pending before the Court is a motion to excuse Defendant Bannister from appearing at the settlement conference, filed on April 15, 2016. Docket No. 65. On February 16, 2016, the Court issued an order establishing the requirements for the settlement conference, including the required personal attendance of the parties. Docket No. 59. The Court further ordered that any request seeking an exception to those attendance requirements “**must be filed and served on all parties within seven (7) days of the issuance of this order,**” or February 23, 2016. *See id.* at 2 (emphasis in original).¹ Hence, the pending motion is untimely and provides no explanation why it should be granted notwithstanding that untimeliness.²

¹ The Court later granted Defendants’ motion to continue the settlement conference, but made clear that in doing so it was not altering the requirements already established. *See* Docket No. 62 at 2.

² Defendants assert that reducing their travel expenses may result in a more lucrative offer of settlement being extended to Plaintiff. *See* Docket No. 65 at 2 (asserting that the roughly \$1,000 of travel savings “would likely be more effectively used for use in a settlement amount rather than travel”). The

1 Accordingly, the motion is hereby **DENIED** without prejudice.

2 IT IS SO ORDERED.

3 DATED: April 15, 2016

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6 Nancy J. Koppe
7 United States Magistrate Judge
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26 Court reminds Defendants and their counsel that there is no prohibition to their seeking resolution of this
27 case *prior* to the settlement conference, especially if they believe settlement is more likely if the costs
28 associated with a settlement conference are not incurred. If Defendants believe the avoidance of travel costs
materially impacts the likelihood of settlement, Defendants' counsel is strongly urged to confer with Plaintiff
regarding a possible settlement as soon as practicable.